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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,705	10/31/2000	Jeffry Jovan Philyaw	PHLY-25,506	3135
25883	7590	05/27/2005	EXAMINER	
HOWISON & ARNOTT, L.L.P			MIRZA, ADNAN M	
P.O. BOX 741715			ART UNIT	
DALLAS, TX 75374-1715			PAPER NUMBER	

2145

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,705

Applicant(s)

PHILYAW, JEFFRY JOVAN

Examiner

Adnan M. Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

RD

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer (U.S. 5,774,534) and Ludwig (U.S. 6,256,498).

As per claims 1, 11, 19 Mayer disclosed a method for connecting a wireless device to a remote location on a computer network, the method comprising the steps of a) transmitting a beacon signal from a beacon unit disposed at a first geographic location, the beacon signal including components indicative of a first code and of a second code, the first code being associated with a remote location on a computer network and the second code being associated with an attribute of the beacon unit (col. 2, lines 12-21); b) receiving the beacon signal using a beacon signal receiver circuit disposed with a wireless device at a second geographic location, and extracting therefrom the first code and the second code (col. 7, lines 55-64); c) automatically sending, in response to receiving the beacon signal without user intervention, control signals indicative of the first code and the second code from the beacon signal receiver circuit to the wireless device (col. 6, lines 37-57 & col. 5, lines 3-10); e) receiving the first message packet at the intermediate location and extracting the first code and the second code therefrom; f) accessing a computer database from the intermediate location, the database including a plurality of routing information

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for remote locations on the computer network and a plurality of first codes and associating each of the routing information with at least one of the first codes (col. 7, lines 40-53), and retrieving the routing information associated with the first code received in the beacon signal; and h) transmitting, in response to receiving the reply packet, a second message packet from the wireless device to a remote location on the network using the routing information just received, thereby connecting the wireless device to the associated remote location (col. 8, lines 11-23).

However Mayer failed to disclose in detail d) automatically transmitting, in response to receiving the control without user intervention signals, an RF signal constituting a first message packet from the wireless device to an intermediate location on the computer network, the first message packet being indicative of the first code and the second code; g) transmitting a reply packet including the routing information associated with the first code from the intermediate location across the computer network to the wireless device.

In the same field of endeavor Ludwig disclosed the invention makes the use of GPS obsolete and enables digital cellular communication network operators to exploit, e.g., GSM features the PSDN or ISDN operators cannot offer. Therefore, it is advantageous for a digital cellular communication network operator to offer new location dependent internet services to subscribers by combining the digital cellular environment with the internet (col. 4, lines 61-67). The mapping table comprises a correspondence between cell Ids or base station identity codes BSCI and exact geographical positions in terms of latitude and longitude of respective cells and base station sub-systems. Therefore, once the cell Ids or base station identity codes BSCI are available

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within the WWW server, the geometrical location of the mobile station MS is calculated (col. 8, lines 53-59). The mobile station comprises a location data filter adapted to transfer location specific data extracted from the broadcast information to the mobile device on request of the mobile device. The mobile device is adapted to request a location dependent WWW service from the WWW server on the basis of the location specific data (col. 4, lines 16-22).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated makes the use of GPS obsolete and enables digital cellular communication network operators to exploit, e.g., GSM features the PSDN or ISDN operators cannot offer. Therefore, it is advantageous for a digital cellular communication network operator to offer new location dependent internet services to subscribers by combining the digital cellular environment with the internet (col. 4, lines 61-67). The mapping table comprises a correspondence between cell Ids or base station identity codes BSCI and exact geographical positions in terms of latitude and longitude of respective cells and base station sub-systems. Therefore, once the cell Ids or base station identity codes BSCI are available within the WWW server, the geometrical location of the mobile station MS is calculated. The mobile station comprises a location data filter adapted to transfer location specific data extracted from the broadcast information to the mobile device on request of the mobile device. The mobile device is adapted to request a location dependent WWW service from the WWW server on the basis of the location specific data as taught by Ludwig in the method of Mayer to reduce the overhead and

latency in terms of determining geographical position of the device in digital communication network.

3. As per claim 2 Mayer-Ludwig disclosed wherein the step of transmitting a second message packet from the wireless device to a remote location further comprises the sub-step of transmitting the first code to the remote location (Ludwig, col. 10, lines 14-26).

4. As per claim 3 Mayer-Ludwig disclosed wherein the step of transmitting a second message packet from the wireless device to a remote location further comprises the sub-step of transmitting the second code to the remote location (Ludwig, col. 10, lines 14-26).

5. As per claims 4,10,17 Mayer-Ludwig disclosed wherein: the computer database further includes a plurality of second codes which are associated with the plurality of routing information for remote locations on the computer network (Mayer, col. 12, lines 1-12); and the step of accessing a computer database from the intermediate location further comprises the sub-steps of a) determining whether more than one of the routing information are associated with the first code received in the beacon signal (Ludwig, col. 10, lines 8-13); and b) if so, selecting for retrieval such routing information which is also associated with the second code (Ludwig, col. 9, lines 63-67 & col. 10, lines 1-5).

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6. As per claim 5 Mayer-Ludwig disclosed wherein the step of transmitting a second message packet from the wireless device to a remote location further comprises the sub-step of transmitting the first code to the remote location (Ludwig, col. 8, lines 7-12).

7. As per claim 6 Mayer-Ludwig disclosed wherein the step of transmitting a second message packet from the wireless device to a remote location further comprises the sub-step of transmitting the second code to the remote location (Ludwig, col. 8, lines 7-12).

8. As per claims 7,16 Mayer-Ludwig disclosed further comprising the steps of a) retrieving, prior to sending control signals from the beacon signal receiver circuit to the wireless device, a third code from a memory unit of the beacon signal receiver circuit, the third code being associated with an attribute of the beacon signal receiver circuit (Ludwig, col. 8, lines 28-41); b) sending, in response to receiving the beacon signal, control signals indicative of the third code from the beacon signal receiver circuit to the wireless device (Ludwig, col. 7, lines 1-15); c) transmitting, as a component of the RF signal constituting the first message packet, signals indicative of the third code; and d) extracting the third code from the first message packet at the intermediate location (Ludwig, col. 7, lines 17-27).

9. As per claim 8 Mayer-Ludwig disclosed wherein the step of transmitting a second message packet from the wireless device to a remote location further comprises the sub-step of transmitting the third code to the remote location (Ludwig, col. 7, lines 17-27).

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10. As per claims 9,18 Mayer-Ludwig disclosed wherein: the computer database farther includes a plurality of third codes which are associated with the plurality of routing information for remote locations on the computer network (Mayer, col. 12, lines 1-12), and the step of accessing a computer database from the intermediate location further comprises the sub-steps of a) determining whether more than one of the routing information are associated with the first code received in the beacon signal (Ludwig, col. 10, lines 8-13); and b) if so, selecting for retrieval such routing information which is also associated with the third code (Ludwig, col. 7, lines 17-27).

11. As per claim 12 Mayer-Ludwig disclosed wherein the beacon signal is a radio frequency (RF) signal (Ludwig, col. 4, lines 61-67).

12. As per claim 13 Mayer-Ludwig disclosed wherein the frequency of the RF beacon signal is different from the frequency used by the RF transmitter/receiver of the wireless device to communicate with the network (Ludwig, col. 6, lines 7-17).

13. As per claim 14 Mayer-Ludwig disclosed wherein the beacon signal is an optical signal (Ludwig, col. 4, lines 61-67).

14. As per claim 15 Mayer-Ludwig disclosed wherein the beacon signal is an acoustic signal (Ludwig, col. 6, lines 7-17).

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15. As per claim 20 Mayer-Ludwig disclosed further comprising the steps of a) receiving the second message packet at the different remote location on the Network; b) sending, in response to receiving the second message packet (Ludwig, col. 7, lines 17-27), information from the different remote location back across the network to the wireless device; and c) receiving with the wireless device the information from the different remote location and displaying the information to a user (Ludwig, col. 10, lines 26-37).

Applicant's arguments are as follows:

15. Applicant argued that prior art did not disclose the second code being transferred

16. Applicant argued that prior art did not disclose that there is no automatic process without user intervention that allows codes (phone numbers in this interpretation) to be transmitted to a wireless device wherein the wireless device then transmits the information to an intermediate location such that it is then connected to a final remote location by a return information therefrom.

As to applicant's argument Mayer disclosed the calls are received in a PBX (which may be a definitely PBX available from AT&T that includes an automatic call distributor functionality, so that the audio portion of the calls can be delivered to the telephone or headset of an available

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operator, and if desired, information associated with the call and or the caller can be delivered to and displayed on a processor (col. 5, lines 3-10).

17. Applicant argued that prior art disclosed that there is no step transmitting a reply packet from the intermediate location to wireless device such that the wireless device then makes the connection.

As to Applicant's argument Ludwig disclosed the GPRS gateway support node GGSN is the node which is accessed by the packet data network due to evaluation of packet data network due to evaluation of a packet data protocol address PDP that contains routing information for attached GPRS users, e.g. in internet protocol IP or X.25. this routing information is used to tunnel packet data units PDUs to mobile stations current point of attachment, i.e. the serving GPRS supporting node (col. 5, lines 39-47). One ordinary skill in the art at the time of the invention knows that IP protocol sends out an Acknowledgement message once it received the packet.

18. Applicant argued that prior art did not disclose, "no second code transmitted from the beacon unit that could be an attribute of the beacon unit".

As to applicant's argument prior art disclosed, "The device ID is further associated with a subscriber number (sub #) authorized by a carrier in the link server as part of the procedures to

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activate the phone” (col. 7, lines 61-64). One ordinary skill in the art at the time of the invention interrupted the subscriber number as the second code.

Conclusion

19. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

20. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin Wallace can be reached on (571)-272-6159. The fax for this group is (703)-746-7239.

21. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label “PROPOSED” or “DRAFT”);

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(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

22. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C. 20231


Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.

Am

Adnan Mirza

Examiner


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER